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|--|--|--|---------------------------------|
| CHARGE OF DISCRIMINATION Case 3:03-cv-02817-SI Document 39-1 Filed 01/09/04 Page 1 of 38 | | AGENCY <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC | CHARGE NUMBER 340-2003-09802 |
| California Department of Fair Employment and Housing and EEOC <i>State or local Agency, if any</i> | | | |
| NAME (indicate Mr., Ms. or Mrs.) Mr. Eduardo Gonzalez | | HOME TELEPHONE (include area code) (510) 782-3167 | |
| STREET ADDRESS 27474 Capri Avenue, Hayward, CA 94545 P.O. Box 11375, Stanford, CA 94309 | | DATE OF BIRTH October 19, 1983 | |
| NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below.) | | | |
| NAME Abercrombie & Fitch at Valley Fair | | NUMBER OF EMPLOYEES, MEMBERS Cat. D (500+) | |
| STREET ADDRESS 2855 Stevens Creek Blvd., Space B585, Santa Clara, CA 95050 | | TELEPHONE (include area code) 408-551-0252 | |
| NAME Abercrombie & Fitch | | COUNTY SANTA CLARA | |
| STREET ADDRESS 6301 Fitch Path, New Albany, Ohio 43054 | | COUNTY FRANKLIN | |
| CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (specify) | | | |
| THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)): <p>I. I am a Latino male. I was denied a position as a sales associate ("Brand Representative") at the Abercrombie & Fitch store in the Valley Fair Mall in Santa Clara, California. I initially applied at the Valley Fair Mall store on August 7, 2002 and returned for a group interview on August 27, 2002. I was not hired nor was I ever contacted by Abercrombie.</p> <p>II. I believe that I have been discriminated against by Abercrombie on the basis of national origin, color, or race for the following reasons: I am qualified for the sales associate position. I am a Stanford University undergraduate who was looking for a part-time job at the time. On both August 7 and 27, 2002, I noticed that none of the sales associates at the Valley Fair Abercrombie were minority individuals, i.e., Latino, African American or Asian American. When I initially applied, an Abercrombie manager suggested that I apply to work in the stock room or on the late night crew in a non-sales position.</p> <p>III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of national origin, color, or race in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of national origin, color, or race.</p> | | | |
| RECEIVED <input checked="" type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure. | | NOTARY - (When necessary for State and Local Requirements) 125 2003 | |
| I declare under penalty of perjury that the foregoing is true and correct. 5/25/2003 Date | | I swear or affirm that I have read the above-charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT Eddie Gonzalez Charging Party (signature) | |
| SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year) | | | |



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)

TTY # (800) 700-2320

1001 Tower Way, Suite 250
Bakersfield, CA 93309
(805) 395-2729

Ms. Rachel Riddle EEOC Number: 340-2003-09802
Human Resources Director
Abercrombie & Fitch Case Name: GONZALEZ, EDUARDO
6301 Fitch Path
New Albany, OH 430054 Date: April 29, 2003

1320 E. Shaw Avenue, Suite 150
Fresno, CA 93710
(559) 244-4760

611 West Sixth Street, Suite 1500
Los Angeles, CA 90017
B (213) 439-6799

1515 Clay Street, Suite 701
Oakland, CA 94612-2512
M (510) 622-2941

2000 "O" Street, Suite 120
Sacramento, CA 95814-5212
E (916) 445-5523

350 W. Ash Street, Suite 950
San Diego, CA 92101-3440
D (619) 645-2681

121 Spear Street, Suite 430
San Francisco, CA 94105
A (415) 904-2303

111 North Market Street, Suite 810
San Jose, CA 95113-1102
G (408) 277-1277

2101 E. Fourth Street, Suite 255-B
Santa Ana, CA 92705-3855
K (714) 558-4266

NOTICE TO COMPLAINANT AND RESPONDENT

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962.

No response to the DFEH is required by the respondent.

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior, Municipal or Justice Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12965, subdivision (d)(1), this one year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
Deputy Director
Enforcement Field Operations

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before signing this form.

AGENCY
 FEPA
 EEOC

CHARGE NUMBER
 340A201971

California Department of Fair Employment and Housing and EEOC
 State or local Agency, if any

Petitioner Name, No., Name

HOME TELEPHONE (Include Area Code)
 310-824-5394

Carnacion Gutierrez

CITY, STATE AND ZIP CODE

DATE OF BIRTH

109 Stansbury Ave., Panorama City, CA 91402

6-29-75

IED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NUMBER OF EMPLOYEES, MEMBERS

TELEPHONE (Include Area Code)

Abercrombie & Fitch

Unknown (25+)

310-899-2966

ET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

45 Third Street Promenade, Santa Monica, CA 90401

Los Angeles

ET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

TYPE OF DISCRIMINATION BASED ON (Check appropriate boxes)

DATE DISCRIMINATION TOOK PLACE
 EARLIEST LATESTRACE COLOR SEX RELIGION NATIONAL ORIGIN RETALIATION AGE DISABILITY OTHER (Specify) June/July 2001-continuing
 CONTINUING ACTION

PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

During the summer of 2001, I went to the Abercrombie & Fitch store located on the Third Street Promenade in Santa Monica, California, and I inquired about the availability of employment at the store. I received an application, which I was instructed to fill out. I was told to bring the completed application to a group interview on a set day of the week and time. I did return for the group interview, with my completed application. The group interview was conducted in the open area on the second floor of the store by a white male identified as the manager. There were seven or eight applicants sitting in a circle. The manager asked us to go around the circle and introduce ourselves, say something about ourselves, and indicate what job position we wanted to obtain. Each applicant did as instructed. The manager asked a very few follow-up questions of particular applicants. I do recall that he asked the first applicant to speak -- an Asian American male -- whether he spoke English even though his answer to the initial set of questions plainly demonstrated that he did in fact speak English. After we each responded, the manager told us that the interview was over and collected our applications. I have never been contacted about taking a position at the Abercrombie & Fitch store even though I never withdrew my application. I also have never received any sort of letter or communication indicating that my application was rejected or asking for any further information about my qualifications. Based on my observations of who works in the store, who was interviewed (more than half of those in my group interview were minorities), and the manager's interest in each applicant, I believe that I have not been hired or contacted because I am Latino.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.
 I declare under penalty of perjury that the foregoing is true and correct.

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWEORN TO BEFORE ME THIS DATE
 (Day, Month, and Year)Date
 EEOC FORM 6 (REV. 8/82)

Charging Party (Signature)

EXHIBIT B

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

ment before PEPAC
 EEOC

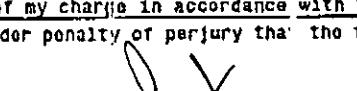
340A201971

CA Dept. Fair Employment & Housing _____ and EEOC
State or local Agency, if any

| | | | |
|---|--|---|--|
| NAME Mr. STREET NAME STAT NAME ABC STREET NAME 13! NAME | ADDRESS DDRESS IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.) aombie & Fitch Co. DDRESS 3rd Street Promenade, Los Angeles, CA 90063 ADDRESS | CITY, STATE AND ZIP CODE CITY, STATE AND ZIP CODE CITY, STATE AND ZIP CODE CITY, STATE AND ZIP CODE | HOME TELEPHONE (Include Area Code) (310) 824-5394 DATE OF BIRTH 06/29/1975 NUMBER OF EMPLOYEES, MEMBERS Cat D (501 +) TELEPHONE (Include Area Code) (310) 899-2966 COUNTY 037 TELEPHONE NUMBER (Include Area Code) |
| CAUSE X R | DISCRIMINATION BASED ON: <i>(Check appropriate box(es))</i> RETALIATION AGE DISABILITY OTHER (Specify) | NATIONAL ORIGIN <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify) | DATE DISCRIMINATION TOOK PLACE EARLIEST LATEST 06/01/2001 05/21/2002 <input checked="" type="checkbox"/> CONTINUING ACTION |

THE P.
Amended Charge

During the summer of 2001, I went to the Abercrombie & Fitch store located on the Third Street Promenade in Santa Monica, California, and I inquired about the availability of employment at the store. I received an application, which I was instructed to fill out. I was told to bring the completed application to a group interview on a set day of the week and time. I did turn for the group interview, with my completed application. The group interview was conducted in the open area on the second floor of the store by a white male identified as the manager. There were seven or eight applicants sitting in a circle. The manager asked us to go around the circle and introduce ourselves, say something about ourselves, and indicate what job position we wanted to obtain. Each applicant did as instructed. The manager asked a very few follow-up questions of particular applicants. I do recall that he asked the first applicant to speak in English - whether he spoke English even though his answer to the initial set of questions plainly demonstrated that he did in fact speak English. After we each responded, the manager told us that the interview was over and collected our applications. I have never been contacted about taking a position at the Abercrombie & Fitch store even though I never withdrew my application. I also have never received any sort of letter or communication indicating that my application was rejected or asking for any further information about my qualifications. Based on my observations of who works in the store, who was interviewed (more than half of those in my group interview were minorities), and the manager's interest in each applicant, I believe that I have not been hired or contacted because I am Latino.

| | | |
|--|---|--|
| <p>I wan local addr proce I dec and c</p> | <p>this charge filed with both the EEOC and the state or agency, if any. I will advise the agencies if I change my or telephone number and cooperate fully with them in the han- dling of my charge in accordance with their procedures.</p> <p>I declare under penalty of perjury that the foregoing is true etc.</p> <p></p> <p>Charging Party (Signature)</p> | <p>NOTARY - (When necessary for State and Local Government) JUN 12 2002 E</p> <p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, REGISTRATION AND BELIEF INTAKE</p> <p>SIGNATURE OF COMPLAINANT</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Month, day and year)</p> |
|--|---|--|

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

AGENCY
 FEPA
 EEOC

CHARGE NUMBER
 340A20197

CA Dept. Fair Employment & Housing and EEOC
 State or local Agency, if any

NAME (Indicate Mr., Ms., Mrs.)

Mr. Encarnacion Gutierrez

CITY, STATE AND ZIP CODE

HOME TELEPHONE (Include Area Code)

(310) 324-5394

STREET ADDRESS

8909 Stansbury Avenue, Panorama City, CA 91402

DATE OF

06/29

IRTH

975

EE,

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMM] STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME

NUMBER OF EMPLOYEES, MEMBERS

TELEPHONE (Include Area Code)

Abercrombie & Fitch Co.

Cat D (501 +)

(310) 899-2

6

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

1346 3rd Street Promenade, Los Angeles, CA 90063

03

CODE

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate boxes):

RACE COLOR SEX RELIGION NATIONAL ORIGIN
 RETALIATION AGE DISABILITY OTHER (Specify)

DATE DISCRIMINATION TOO EARLIEST LATEST

06/01/2001 05/21

0002

 CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

Amended Charge

During the summer of 2001, I went to the Abercrombie & Fitch store located on the Third Street Promenade in Santa Monica, California, and I inquired about the availability of employment at the store. I received an application, which I was instructed to fill out. I was told to bring the completed application to a group interview on a set day of the week and time. I did return for the group interview, with my completed application. The group interview was conducted in the open area on the second floor of the store by a white male identified as the manager. There were seven or eight applicants sitting in a circle. The manager asked us to go around the circle and introduce ourselves, say something about ourselves, and indicate what job position we wanted to obtain. Each applicant did as instructed. The manager asked a very few follow-up questions of particular applicants. I do recall that he asked the first applicant to speak -- an Asian American male -- whether he spoke English even though his answer to the initial set of questions plainly demonstrated that he did in fact speak English. After we each responded, the manager told us that the interview was over and collected our applications. I have never been contacted about taking a position at the Abercrombie & Fitch store even though I never withdrew my application. I also have never received any sort of letter or communication indicating that my application was rejected or asking for any further information about my qualifications. Based on my observations of who works in the store, who was interviewed (more than half of those in my group interview were minorities), and the manager's interest in each applicant, I believe that I have not been hired or contacted because I am Latino.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the foregoing is true and correct.

NOTARY - (When necessary for State and Local Agencies)

JUN 12 2008

I swear or affirm that I have read the above charge and it is true to the best of my knowledge.

SOCIAL SECURITY NUMBER

INTAKE

SIGNATURE OF COMplainant

SUBSCRIBED AND SWEARN TO BEFORE ME THIS DAY
 (Month, day and year)

Date

Charging Party (Signature)

EEOC FORM 5 (Rev. 07/99)

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)



TTY # (800) 700-2320

Rachel Riddle
 Human Resources Director EEOC Number: 340-2003-09730
 Abercrombie & Fitch
 6301 Fitch Path
 New Albany, OH 43054

Case Name: MONTOYA, JUAN

Date: April 29, 2003

1001 Tower Way, Suite 250
 Bakersfield, CA 93309
 (805) 395-2729

1320 E. Shaw Avenue, Suite 150
 Fresno, CA 93710
 (559) 244-4760

611 West Sixth Street, Suite 1500
 Los Angeles, CA 90017
 (213) 439-6799

1515 Clay Street, Suite 701
 Oakland, CA 94612-2512
 (510) 622-2941

2000 "O" Street, Suite 120
 Sacramento, CA 95814-5212
 (916) 445-5523

350 W. Ash Street, Suite 950
 San Diego, CA 92101-3440
 (619) 645-2681

121 Spear Street, Suite 430
 San Francisco, CA 94105
 (415) 904-2303

111 North Market Street, Suite 810
 San Jose, CA 95113-1102
 (408) 277-1277

2101 E. Fourth Street, Suite 255-B
 Santa Ana, CA 92705-3855
 (714) 558-4266

NOTICE TO COMPLAINANT AND RESPONDENT

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962.

No response to the DFEH is required by the respondent.

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior, Municipal or Justice Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12965, subdivision (d)(1), this one year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
 Deputy Director
 Enforcement Field Operations

this form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

CHARGE OF DISCRIMINATION

AGENCY

 FEPA EEOC

CHARGE NUMBER

340A00452

CA Dept. Fair Employment & Housing
State or local Agency, if any

and EEOC

NAME (Last Name, First, Middle)

Mr. Juan C. Gomez-Montejano

STREET ADDRESS

411 Kelton Avenue Unit #329, Westwood, CA 90024

CITY, STATE AND ZIP CODE

HOME TELEPHONE (Indicate Area Code)
(310) 428-5909

DATE OF BIRTH

02/04/1979

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below.)

NAME
Abercrombie & Fitch Co.

STREET ADDRESS

1346 3rd Street Promenade, Los Angeles, CA 90063

CITY, STATE AND ZIP CODE

NUMBER OF EMPLOYEES, MEMBERS

Cat C (201-500)

TELEPHONE (Indicate Area Code)
(310) 899-2966

COUNTY

037

STREET ADDRESS



Case 3:03-cv-02817-SI Document 39-1 Filed 01/09/04 Page 9 of 38

U.S. EQUAL OPPORTUNITY COMMISSION
Los Angeles District Office

255 E. TEMPLE STREET, 4TH FLOOR
 LOS ANGELES, CALIFORNIA 90012
 1-800-669-4000
 (213) 894-1000
 TDD (213) 894-1121
 FAX (213) 894-1118

Juan C. Gomez-Monejano
 411 Kelton Avenue, Unit #329
 Los Angeles, California 90024

Charge Number 340A00452

Charging Party

Abercrombie & Fitch Co.
 1346 3rd Street Promenade
 Los Angeles, California 90063

Respondents

Abercrombie & Fitch Co.
 Four Limited Parkway East
 Reynoldsburg, Ohio 43068

LETTER OF DETERMINATION

By the authority vested in me by the Equal Employment Opportunity Commission (EEOC), I issue the following determination as to the merits of the subject charge filed under Title VII of the Civil Rights Act of 1964, as amended. All requirements for coverage have been met.

Charging Party alleged that he was denied a permanent position as a Brand Representative, denied an assignment and terminated because of his national origin, Mexican-American. Charging Party further alleges that Latinos and Blacks, as a class, are discriminated against in recruitment, hiring, and assignment. Respondent denies the allegations of discrimination and contends the Charging Party was not denied a permanent position of Brand Representative, denied an assignment, or terminated based on his national origin.

The preponderance of the evidence supports Charging Party's claim that he was denied a permanent position as a Brand Representative, denied an assignment and terminated because of his national origin. Moreover, evidence obtained during the course of the investigation revealed that Latinos and Blacks, as a class, were denied permanent positions, denied assignments and treated in an unfair manner with regard to recruitment based on their race and national origin, and that Respondent failed to maintain employment records as required by Title VII. Therefore, I have concluded that the evidence is sufficient to establish a violation of the above-cited statute.

Respondent is reminded that Federal law prohibits retaliation against persons who have exercised their right to inquire or complain about matters they believe may violate the law. Discrimination against persons who have cooperated in EEOC investigations is also prohibited. These protections apply regardless of the EEOC's determination on the merits of the charge.

EXHIBIT E

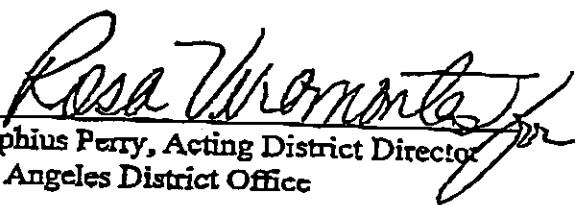
LOD
CHARGE NUMBER 340A00452
PAGE 2 OF 2

Having determined that there is reason to believe that violations have occurred, the EEOC now invites the parties to join with it in a collective effort toward a just resolution of this matter. If Respondent declines to enter into settlement discussions, or if for any other reason the EEOC's representative is unable to secure an acceptable settlement, the Director will so inform the parties in writing and advise them of the court enforcement alternative available to the charging party and the EEOC.

Investigator Karrie Maeda will be contacting you shortly to begin conciliation discussions. You can contact Investigator Maeda at (213) 894-1915.

On behalf of the Commission:

September 13, 2001
Date



Olophius Perry, Acting District Director
Los Angeles District Office

STATE OF CALIFORNIA STATE AND CONSUMER SERVICES AGENCY

GRAY DAVIS, COUNSEL

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)

TTY # (800) 700-2320

1001 Tower Way, Suite 250
Bakersfield, CA 93309-1588
(808) 386-2725

1320 E. Shaw Avenue, Suite 160
Fresno, CA 93710
(559) 244-4780

Mr. Jim Wheelox
Human Resources Manager
Abercrombie & Fitch Co.
3 Limited Parking
Columbus, OH 43216

EEOC Number: 340A00452

Case Name: Mr. Juan C. Gomez-Montejano

811 West Sixth Street, Suite 1800
Los Angeles, CA 90017-3110
(213) 428-6789

1519 Clay Street, Suite 701
Oakland, CA 94612-2512
(510) 822-2941

2000 "O" Street, Suite 120
Sacramento, CA 95814-5212
(916) 445-5523

1848 S. Business Center Dr., Suite 127
San Bernardino, CA 92408-3426
(909) 383-4373

350 W. Ash Street, Suite 350
San Diego, CA 92101-3440
(813) 645-2681

455 Golden Gate Avenue, Suite 7800
San Francisco, CA 94102-7008
(415) 703-4176

111 North Market Street, Suite 610
San Jose, CA 95113-1102
(408) 277-1277

28 Civic Center Plaza, Suite 828
Santa Ana, CA 92701-4010
(714) 558-4288

1732 Palma Drive, Suite 200
Ventura, CA 93003-5798
(805) 654-4914

Date: December 21, 1999

NOTICE TO COMPLAINANT AND RESPONDENT

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12980. This notice constitutes service pursuant to Government Code section 12982.

No response to the DFEH is required by the respondent.

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

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The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

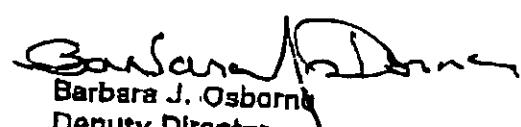

Barbara J. Osborne
Deputy Director
Enforcement Field Operations

EXHIBIT F

DFEH-200-02 (8/99)

| CHARGE OF DISCRIMINATION | | AGENCY | CHARGE NUMBER |
|--|--|---|---|
| This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form. | | <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC | 340-2003-09736 |
| California Department of Fair Employment and Housing and EEOC <i>State or local Agency, if any</i> | | | |
| NAME (indicate Mr., Ms. or Mrs.) Ms. Jennifer Lu | | HOME TELEPHONE (include area code) (405) 209-8931 | |
| STREET ADDRESS 163 Exeter, Apt # 163, Irvine, CA 92612 | | CITY, STATE AND ZIP CODE DATE OF BIRTH March 3, 1982 | |
| NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below) | | | |
| NAME Abercrombie & Fitch at Crystal Court | | NUMBER OF EMPLOYEES, MEMBERS Cat. D (500+) | TELEPHONE (include area code) 714-557-9787 |
| STREET ADDRESS 3333 Bear St. Suite # 223, Costa Mesa, CA 92626 | | RECEIVED FEB 13 2003 EEOC/ADO INTAKE | COUNTY ORANGE |
| NAME Abercrombie & Fitch | | NUMBER OF EMPLOYEES, MEMBERS Cat. D (500+) | TELEPHONE (include area code) 614-283-6500 |
| STREET ADDRESS 6301 Fitch Path, New Albany, Ohio 43054 | | CITY, STATE AND ZIP CODE COUNTY FRANKLIN | |
| CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) | | | |
| <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (specify) | | | |
| THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)): | | | |
| <p>I. I am an Asian American female. I was terminated from my position as a sales associate ("Brand Representative") at the Abercrombie & Fitch store in the Crystal Court Mall in Costa Mesa, California. I had worked at the Crystal Court store from September 2000 to February 2003.</p> <p>II. I believe that I have been discriminated against by Abercrombie on the basis of national origin, color, race or sex for the following reasons: I have worked in the sales associate position for three years. Based on my experience and demonstrated responsibility, I was entrusted with the duties of handling the cash register and even returns and exchanges. I am an undergraduate attending University of California at Irvine. On or about February 8, 2003, I was terminated from the Crystal Court Abercrombie along with 4 other Asian American sales associates. I believe the terminations were a direct result of a visit to the store by employees from Abercrombie's corporate offices, where they told the store management that it needed to "reevaluate the look" of the store and they pointed to a picture of a white male model hanging in the store, and stated something to the effect of, "This is the Abercrombie look." I believe this was code language to recommend that minority sales staff, particularly the Asian Americans and females, be terminated from employment.</p> <p>III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of national origin, color, race or sex in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of national origin, color, race, or sex.</p> | | | |
| <input checked="" type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure. | | NOTARY - (When necessary for State and Local Requirements) | |
| I declare under penalty of perjury that the foregoing is true and correct. Date <i>Jennifer Lu</i> 4/3/2003 Charging Party (signature) | | I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT <i>Jennifer Lu</i> 4/3/03 SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year) | |

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)



TTY # (800) 700-2320

Rachel Riddle
Human Resources Director EEOC Number: 340-2003-09736
 Abercrombie & Fitch
 6301 Fitch Path
 New Albany, OH 43054

Case Name: LU, JENNIFER

Date: April 29, 2003

1001 Tower Way, Suite 250
 Bakersfield, CA 93309
 (805) 395-2729

1320 E. Shaw Avenue, Suite 150
 Fresno, CA 93710
 (559) 244-4760

611 West Sixth Street, Suite 1500
 Los Angeles, CA 90017
 (213) 439-6799

1515 Clay Street, Suite 701
 Oakland, CA 94612-2512
 (510) 622-2941

2000 "O" Street, Suite 120
 Sacramento, CA 95814-5212
 (916) 445-5523

350 W. Ash Street, Suite 950
 San Diego, CA 92101-3440
 (619) 645-2681

121 Spear Street, Suite 430
 San Francisco, CA 94105
 (415) 904-2303

111 North Market Street, Suite 810
 San Jose, CA 95113-1102
 (408) 277-1277

2101 E. Fourth Street, Suite 255-B
 Santa Ana, CA 92705-3855
 (714) 558-4266

NOTICE TO COMPLAINANT AND RESPONDENT

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962.

No response to the DFEH is required by the respondent.

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior, Municipal or Justice Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12965, subdivision (d)(1), this one year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
 Deputy Director
 Enforcement Field Operations



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)

TTY # (800) 700-2320

1001 Tower Way, Suite 250
Bakersfield, CA 93309
(805) 395-2729

Rachel Riddle
Human Resources Director EEOC Number: 340-2003-09740
Abercrombie & Fitch
6301 Fitch Path
Costa Mesa, CA 92626

Case Name: CHU, AUSTIN C

Date: April 29, 2003

1320 E. Shaw Avenue, Suite 150
Fresno, CA 93710
(559) 244-4760

611 West Sixth Street, Suite 1500
Los Angeles, CA 90017
(213) 439-6799

1515 Clay Street, Suite 701
Oakland, CA 94612-2512
(510) 622-2941

2000 "O" Street, Suite 120
Sacramento, CA 95814-5212
(916) 445-5523

350 W. Ash Street, Suite 950
San Diego, CA 92101-3440
(619) 645-2681

121 Spear Street, Suite 430
San Francisco, CA 94105
(415) 904-2303

111 North Market Street, Suite 810
San Jose, CA 95113-1102
(408) 277-1277

2101 E. Fourth Street, Suite 255-B
Santa Ana, CA 92705-3855
(714) 558-4266

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Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
Deputy Director
Enforcement Field Operations

345-2003-04040

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

CA DEPT OF FAIR EMPLOYMENT/HOUSING
State or local Agency, if any

and EEOC

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)).

- I. I was hired on or about 09-16-02, as a Sales Associate. On 02-09-03, I was laid off.
 - II. According to Kyle Richter (General Manager, White), the action was taken because the business slowed down and there were too many employees.
 - III. I believe I have been discriminated against because of my race, Asian, and my sex, Female, in violation of Title VII of the Civil Rights Act of 1964, as amended.

RECEIVED

APR 17 2003

EEOC/LADO
SDAO

| | |
|---|---|
| <p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.</p> | <p>NOTARY - (When necessary for State and Local Requirements)</p> |
| <p>I declare under penalty of perjury that the foregoing is true and correct.</p> | <p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> |
|  | <p>SIGNATURE OF COMPLAINANT</p> |
| <p>4/14/05 Date</p> |  <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Month, day and year)</p> |
| <p>EEOC FORM 5 (Rev. 07/99)</p> | |

Date

Charging Party (signature)

CHARGING PARTY COPY

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)



Abercrombie & Fitch
 P.O. Box 182168
 Columbus, OH 43218

TTY # (800) 700-2320

EEOC Number: 345-2003-04040

1001 Tower Way, Suite 250
 Bakersfield, CA 93309
 H (805) 395-2729

Case Name: Wu v. Abercrombie & Fitch

1320 E. Shaw Avenue, Suite 150
 Fresno, CA 93710
 C (559) 244-4760

Date: 4/22/03

NOTICE TO COMPLAINANT AND RESPONDENT

611 West Sixth Street, Suite 1500
 Los Angeles, CA 90017
 B (213) 439-6799

1515 Clay Street, Suite 701
 Oakland, CA 94612-2512
 M (510) 622-2941

2000 "O" Street, Suite 120
 Sacramento, CA 95814-5212
 E (916) 445-5523

350 W. Ash Street, Suite 950
 San Diego, CA 92101-3440
 D (619) 645-2681

121 Spear Street, Suite 430
 San Francisco, CA 94105
 A (415) 904-2303

111 North Market Street, Suite 810
 San Jose, CA 95113-1102
 G (408) 277-1277

2101 E. Fourth Street, Suite 255-B
 Santa Ana, CA 92705-3855
 K (714) 558-4266

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962.

No response to the DFEH is required by the respondent.

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior, Municipal or Justice Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12965, subdivision (d)(1), this one year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
 Deputy Director
 Enforcement Field Operations

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974; See Privacy Act

Statement before completing this form.

 AGENCY FEPA EEOC

CHARGE NUMBER _____

California Department of Fair Employment and Housing and EEOC State or Local Agency, if any

NAME (indicate Mr., Ms. or Mrs.) Mr. Eric Fight

HOME TELEPHONE (include area code) 310-450-9498

STREET ADDRESS CITY, STATE AND ZIP CODE 634 Westminster Avenue, #5, Venice, CA 90291

D

DATE OF BIRTH May 30, 1974

NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (if more than one, list below.)NAME Abercrombie & Fitch at the Third Street Promenade
(500+)

NUMBER OF EMPLOYEES, MEMBERS Cat. D

TELEPHONE (include area code) 310-899-2966

STREET ADDRESS CITY, STATE AND ZIP CODE 1345 Third Street Promenade, Santa Monica, CA 90401

C

COUNTY Los Angeles

NAME Abercrombie & Fitch
(300+)

NUMBER OF EMPLOYEES, MEMBERS Cat. D

TELEPHONE (include area code) 614-283-6500

STREET ADDRESS CITY, STATE AND ZIP CODE 6301 Fitch Path, New Albany, OH 43054

C

COUNTY Franklin

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) RACE COLOR SEX RELIGION NATIONAL ORIGIN RETALIATION AGE DISABILITY

OTHER (specify)

D

DATE DISCRIMINATION TOOK PLACE EARLIEST LATEST 11/02 CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)): I. I am an African American male. I was denied a position as a sales associate ("Brand Representative") at the Abercrombie & Fitch store in the Third Street Promenade in Santa Monica, California. I initially applied to work at that store in May 2003. During my interview, I informed the manager that I had substantial clothing retail sales experience working with the Gap, Urban Outfitters, and Miller's Outpost. The manager told me that the store would call me with a decision within a week. One week later, I called the store to inquire about my application, and the same manager told me that the store was not hiring floor sales associates. Roughly ten days later, the stock room manager called me and offered me a stock room position. I began work in that capacity, expecting that the store would soon be hiring floor sales associates again and that I could reapply for such a position then. On my second day of work in the stock room, in June 2003, I met a new a white floor sales associate who was working his first day with Abercrombie. Knowing that he had recently been hired, I realized that the manager had deceived me about the availability of floor sales associate positions. Therefore, in June 2003, I was constructively discharged when I learned that I was not allowed to work on the sales floor due to my race or color and that I had been misled by the manager with whom I had interviewed into believing that there were no regular floor sales associate positions available. II. I believe that I have been discriminated against by Abercrombie on the basis of color or race for the following reasons. I had substantial retail clothing sales experience, and I informed the manager about my interest in working on the floor as a sales associate. However, I was channeled to a stock room position instead, where I would be out of public view. III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of color or race in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of color or race.

I want this charge filed with both the EEOC and the State or Local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure.

NOTARY - (When necessary for State and Local Requirements) I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct. Date Charge Party signature

SIGNATURE OF CHARGE PARTY

COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year)

8-16-03

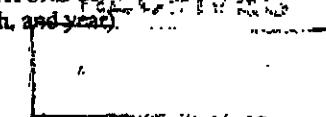


EXHIBIT K

proceedate.

810/05

Chairman Party (signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(Day, month, and year).

EXHIBIT L

I declare under penalty of perjury that the foregoing is true and correct.

Dates 8/16/03

THE CONSTITUTION

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWEARN TO BEFORE ME THIS DATE
(month and year)

EXHIBIT M

RECEIVED

| | | |
|--|--|---|
| CHARGE OF DISCRIMINATION | | AGENCY DEC 29 2004 FEC 29 2004 CHARGE NUMBER |
| This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form. | | <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 340-2004-00740 |

California Department of Fair Employment and Housing and EEOC

State or local Agency, if any

| | | |
|---|---|---|
| NAME (indicate Mr., Ms. or Mrs.) Patrick Douglass | HOME TELEPHONE (include area code) 510-367-9956 | |
| STREET ADDRESS 4674 Elmwood Road | CITY, STATE AND ZIP CODE El Sobrante, California 94803 | DATE OF BIRTH 10/13/84 |
| NAME OF THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below.) | | |
| NAME Abercrombie & Fitch at Bay Street | NUMBER OF EMPLOYEES, MEMBERS Cat. D (500+) | TELEPHONE (include area code) 510-595-1360 |
| STREET ADDRESS 5680 Bay Street | CITY, STATE AND ZIP CODE Emeryville, California 94608 | COUNTY Alameda |
| NAME A&F California, LLC | NUMBER OF EMPLOYEES, MEMBERS Cat. D (500+) | TELEPHONE (include area code) 614-283-6500 |
| STREET ADDRESS 6301 Fitch Path, New Albany, OH 43054 | CITY, STATE AND ZIP CODE | COUNTY Franklin |
| CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) | | DATE DISCRIMINATION TOOK PLACE EARLIEST 05/03 |
| <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (specify) | | LATEST <input checked="" type="checkbox"/> CONTINUING ACTION |

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)).

I. I am an African American female. I was denied a position as a sales associate ("Brand Representative") at the Abercrombie & Fitch store at Bay Street in Emeryville, California. In May of 2003 I submitted my application to a Manager on duty. From the initial point of contact until I walked out of the store, the Manager was distant and dismissive. After scrutinizing my application and commenting on details such as my inclusion of a cellular and dormitory phone number rather than the "usual" applicant's choice to list only a cellular number, the Manager stated that it was early in the season to submit an application for summer employment. I never received a follow up call from Abercrombie.

II. I believe that Abercrombie discriminated against me on the basis of color, race, or national origin for the following reasons. At the time I applied for the Brand Representative position I was a college student and Rugby player at the University of California, Santa Cruz. Additionally, I possessed commensurate retail sales experience and wore almost exclusively Abercrombie clothes. One week after I was informed by Abercrombie Management that May was early for me to apply for a summer job which would begin in June, a Caucasian friend of mine requested an application for summer employment as a Brand Representative at the same Abercrombie store. Upon requesting an application she was instructed to attend one of the group interviews that the Company held every Wednesday.

III. I believe that Abercrombie has a pattern and practice of discriminating against minority individuals on the basis of color, race, or national origin in staffing sales positions in its stores nationwide. I bring this charge on behalf of myself and similarly situated minority individuals denied sales positions as a result of color, race, or national origin.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedure.

I declare under penalty of perjury that the foregoing is true and correct.

Date 11, December, 2003

A.D.D.
Charging Party (signature)

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWEARN TO BEFORE ME THIS DATE
(Day, month, and year) 11, December, 2003

23,2003

EEOC ADP

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)



TTY # (800) 700-2320

Ms. Rachel Riddle
 1001 Tower Way, Suite 250
 Bakersfield, CA 93309
 (805) 395-2729

Abercrombie & Fitch
 6301 Fitch Path
 New Albany, Ohio

EEOC Number: 340-2004-00740

Douglass, Patrice

Case Name:

December 23, 2003

Date:

NOTICE TO COMPLAINANT AND RESPONDENT

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962.

No response to the DFEH is required by the respondent.

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior, Municipal or Justice Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12965, subdivision (d)(1), this one year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

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Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
 Deputy Director
 Enforcement Field Operations

STATE OF CALIFORNIA - STATE AND CONSUMER SERVICES AGENCY

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)



TTY # (800) 700-2320

- 1001 Tower Way, Suite 250
Bakersfield, CA 93309
 (805) 996-2729

 1320 E. Shaw Avenue, Suite 150
Fresno, CA 93710
 (559) 244-4760

- 611 West Sixth Street, Suite 1600
Los Angeles, CA 90017
 (213) 439-8793

- 1515 Clay Street, Suite 701
Oakland, CA 94612-2512
 (510) 622-2941

-  2000 "D" Street, Suite 120
Sacramento, CA 95814-5212
 (916) 445-5623

- 350 W. Ash Street, Suite 950
San Diego, CA 92101-3440
 (619) 645-2881

- 121 Spear Street, Suite 430
San Francisco, CA 94105
 (415) 904-2303

- 111 North Market Street, Suite B10
San Jose, CA 95113-1102
 (408) 277-1277

- 2101 E. Fourth Street, Suite 255-B
Santa Ana, CA 92705-3855
 (714) 568-4286

Ms. Rachel Riddle EEOC Number: 340-2004-00747
Human Resources Manager
Abercrombie & Fitch at Case Name: Robair Sherrod
Redondo Beach, South Bay
6301 Fitch Path Date: December 30, 2004
New Albany, OH 43054

Date: December 30, 2003

NOTICE TO COMPLAINANT AND RESPONDENT

This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12980. This notice constitutes service pursuant to Government Code section 12962.

No response to the DFEH is required by the respondent.

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

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The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

Barbara J. Osborne
Deputy Director
Enforcement Field Operations

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Eduardo Gonzalez
27474 Capri Ave.
Hayward, CA 94545

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] *On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))*

| | | |
|----------------|--------------------------|----------------|
| Charge No. | EEOC Representative | Telephone No. |
| 340-2003-09802 | Legal Officer of the Day | (213) 894-1000 |

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

- [X] More than 180 days have passed since the filing of this charge.
- [] Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
- [] The EEOC is terminating its processing of this charge.
- [X] The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

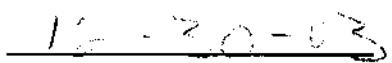
- [] The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.
- [] The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of your charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission


Olophius E. Perry, Director
Los Angeles District Office


(Date Mailed)

Enclosure(s)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Encarnacion Gutierrez
8909 Stansbury Ave.
Panorama City, CA 91402

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] *On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))*

| Charge No. | EEOC Representative | Telephone No. |
|------------|--------------------------|----------------|
| 340A201971 | Legal Officer of the Day | (213) 894-1000 |

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

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- [] Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
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- [X] The EEOC will continue to process this charge.

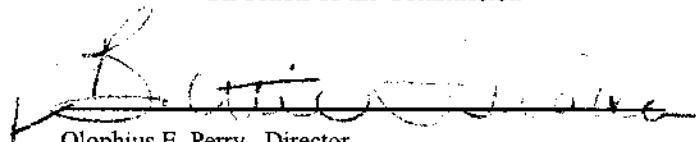
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- [] The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of your charge, you may file suit in federal or state court under the ADEA at this time.

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If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



Olophius E. Perry, Director
Los Angeles District Office

12/30/03
(Date Mailed)

Enclosure(s)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To:Johan Montoya
15415 Vanowen St. #15
Van Nuys, CA 91406

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] *On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))*

| Charge No. | EEOC Representative | Telephone No. |
|----------------|--------------------------|----------------|
| 340-2003-09730 | Legal Officer of the Day | (213) 894-1000 |

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

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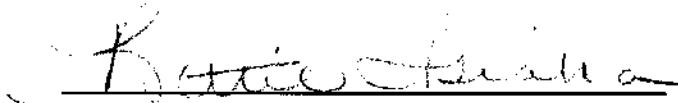
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Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



10-30-03

Randolph E. Perry, Director
Los Angeles District Office

(Date Mailed)

Enclosure(s)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Juan C. Gomez-Monetjano
411 Kelton Ave. #329
Los Angeles, CA 90063

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] *On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))*

| | | |
|------------|--------------------------|----------------|
| Charge No. | EEOC Representative | Telephone No. |
| 340A00452 | Legal Officer of the Day | (213) 894-1000 |

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

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If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



Olophius E. Perry, Director
Los Angeles District Office

10/30/03
(Date Mailed)

Enclosure(s)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Jennifer Lu
163 Exeter #163
Irvine, CA 92612

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] *On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))*

| | | |
|----------------|--------------------------|----------------|
| Charge No. | EEOC Representative | Telephone No. |
| 340-2003-09736 | Legal Officer of the Day | (213) 894-1000 |

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

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If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



Olophius E. Perry, Director
Los Angeles District Office

1/30/03

(Date Mailed)

Enclosure(s)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Austin Chu
23 Timberline
Irvine, CA 92604

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] *On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))*

| | | |
|----------------|--------------------------|----------------|
| Charge No. | EEOC Representative | Telephone No. |
| 340-2003-09740 | Legal Officer of the Day | (213) 894-1000 |

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

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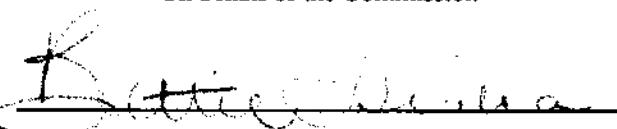
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If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



16/30/03

(Date Mailed)

Enclosure(s)

Olophius E. Perry, Director
Los Angeles District Office

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To:Ivy Nguyen
1503 West Kimberly
Anaheim, CA 92802

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] *On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))*

| Charge No. | EEOC Representative | Telephone No. |
|----------------|--------------------------|----------------|
| 376-2003-00317 | Legal Officer of the Day | (213) 894-1000 |

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

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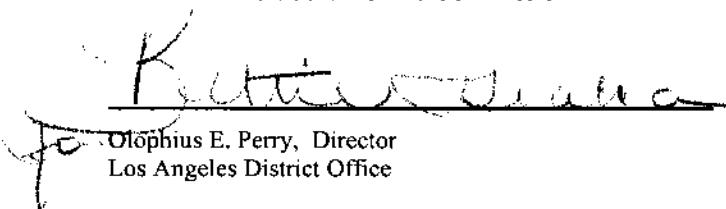
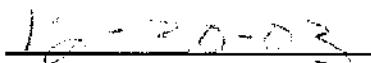
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On behalf of the Commission

 
 Enclosure(s)  Olophius E. Perry, Director
Los Angeles District Office (Date Mailed)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Angeline Wu
2205 Robruse Drive
Hacienda Heights, CA 91745

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] *On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))*

| | | |
|-------------------------------------|--|--|
| Charge No. 345-2003-04040 | EEOC Representative Legal Officer of the Day | Telephone No. (213) 894-1000 |
|-------------------------------------|--|--|

(See also the additional information attached to this form.)

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- [X] The EEOC will continue to process this charge.

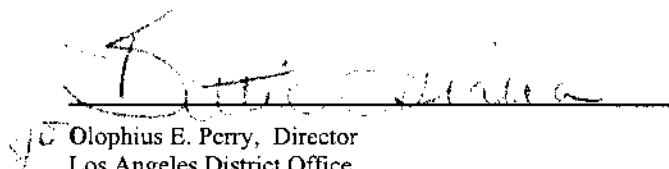
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If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



Olophius E. Perry, Director
Los Angeles District Office


(Date Mailed)

Enclosure(s)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Eric Fight
634 Westminster Ave. #5
Venice, CA 90291

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] *On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))*

| | | |
|----------------|--------------------------|----------------|
| Charge No. | EEOC Representative | Telephone No. |
| 340-2003-11249 | Legal Officer of the Day | (213) 894-1000 |

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

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- [X] Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
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- [X] The EEOC will continue to process this charge.

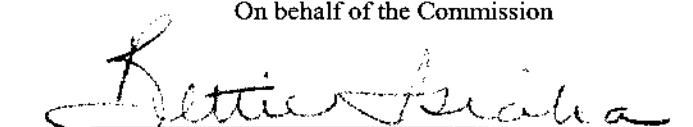
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If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



Olophius E. Perry, Director
Los Angeles District Office

10-30-03

(Date Mailed)

Enclosure(s)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To:Carla Grubb
3112 Jackie Court
Bakersfield, CA 93313

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] *On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))*

| | | |
|----------------|--------------------------|----------------|
| Charge No. | EEOC Representative | Telephone No. |
| 340-2003-11248 | Legal Officer of the Day | (213) 894-1000 |

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

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If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Olophius E. Perry, Director
Los Angeles District Office

(Date Mailed)

Enclosure(s)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To:David Culpepper
2315 Jefferson Ave. #3
Berkeley, CA 94703

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] *On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))*

| Charge No. | EEOC Representative | Telephone No. |
|----------------|--------------------------|----------------|
| 340-2003-11246 | Legal Officer of the Day | (213) 894-1000 |

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

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- [] More than 180 days have passed since the filing of this charge.
- [X] Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
- [] The EEOC is terminating its processing of this charge.
- [X] The EEOC will continue to process this charge.

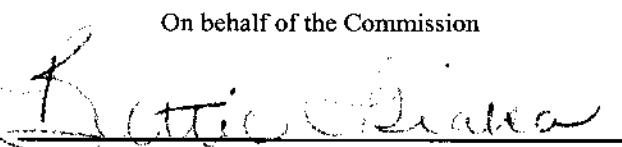
Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

- [] The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on the above-numbered charge will be lost.
- [] The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of your charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission


Olophius E. Perry, Director
Los Angeles District Office

10/30/03

(Date Mailed)

Enclosure(s)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To:Patrice Douglass
4674 Elmwood Road
El Sobrante, CA 94803

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] *On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))*

| Charge No. | EEOC Representative | Telephone No. |
|----------------|--------------------------|----------------|
| 340-2004-00740 | Legal Officer of the Day | (213) 894-1000 |

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

- [] More than 180 days have passed since the filing of this charge.
- [X] Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
- [] The EEOC is terminating its processing of this charge.
- [X] The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

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If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Enclosure(s)

Olophius E. Perry, Director
Los Angeles District Office

(Date Mailed)

cc: ABERCROMBIE & FITCH

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Robair Sherrod
942 East Diamondale Drive
Carson, CA 90746

From: Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, California 90012

[] *On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))*

| Charge No. | EEOC Representative | Telephone No. |
|----------------|--------------------------|----------------|
| 340-2004-00747 | Legal Officer of the Day | (213) 894-1000 |

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

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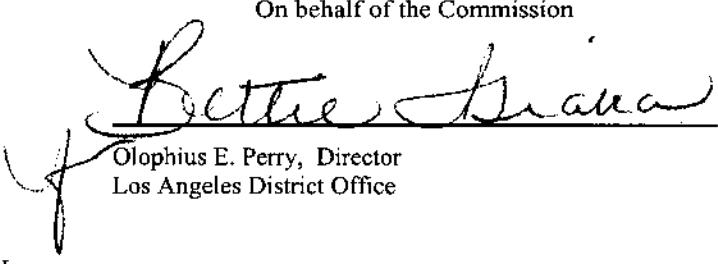
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On behalf of the Commission


Olophius E. Perry, Director
Los Angeles District Office

12-30-03

(Date Mailed)

Enclosure(s)

cc: ABERCROMBIE & FITCH